

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to FIGS. 9, 10A, 10B, 10C, 10D, 11A, 11B, and 11C. These sheets, which include FIGS. 9, 10A, 10B, 10C, 10D, 11A, 11B, and 11C, replace the original sheets including FIGS. 9, 10A, 10B, 10C, 10D, 11A, 11B, and 11C.

Attachment: Replacement Sheets (3)

REMARKS

Claims 1-11 are currently pending in the present application. Claims 1, 9 and 10 are independent claims. Claims 1-3 and 5-11 are amended by this Amendment. Claim 4 is canceled by this Amendment. No claims are added by this Amendment.

Allowable Subject Matter

Initially, Applicant notes with appreciation the Examiner's indication claims 3, 5, 6, 7, and 11 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that in view of the amendments above and the remarks below each of the claims pending in connection with the present application are patentable.

Drawing Objections

The Examiner asserts FIGS. 9, 10A, 10B, 10C, 10D, 11A, 11B, and 11C should be designated by a legend because only that which is old is illustrated. Applicant respectfully submits that FIGS. 9, 10A, 10B, 10C, 10D, 11A, 11B, and 11C are amended to include the legend "Conventional Art."

In view of the above, Applicant respectfully requests the objections to the drawings be withdrawn.

Specification Objections

The Examiner asserts the title of the invention is not descriptive. Applicant respectfully submits the title is amended to address the Examiner's objection.

In view of the above, Applicant respectfully requests the objections to the specification be

withdrawn.

Claim Objections

The Examiner objects to claims 2-8 and 11 because each of these dependent claims should start with "The." Applicant respectfully submits claims 2-8 and 11 are amended or canceled to address the Examiner's objections.

In view of the above, Applicant respectfully requests the objections to the claims be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1-2 and 8-10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamauchi et al. (U.S. Pub. No. 2001/0045988, herein Yamauchi) in further view of Applicant's alleged admitted prior art (AAPA). Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamauchi in view of AAPA and further in view of Examiners Official Notice. In particular, the Examiner takes Office Notice that it is old and well known in the art to thin out the color signal in the horizontal direction and store the thinned-out color signal. Applicant respectfully traverses these rejections.

Applicant notes claim 1 is amended to include the features of canceled claim 4. MPEP 2144.03 A states "[i]t would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21. Therefore, Applicant respectfully submits the

Examiner cannot rely on conclusory statements when dealing with particular combinations of prior art and specific claims, but must set forth the rationale on which it relies.

MPEP 2144.03 B states “[i]f such notice is taken, the basis for such reasoning must be set forth explicitly. [t]he examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge. See *Soli*, 317 F.2d at 946, 37 USPQ at 801. Instead, Applicant respectfully submits the Examiner has relied only upon the conclusory statement that the combination would improve image resolution.

Further, Applicant respectfully submits that even if it is well known in the art to thin out a color signal and store the thinned out color signal, it is not well known in the art to thin out and store a color signal in the manner required by amended claim 1. Applicant respectfully submits that it is each claim taken as a whole, including the interrelationships and interconnections between various claimed elements which must be examined. In particular, it is not well known to use “a line memory to thin out the first color signal in the horizontal direction and store the thinned-out first color signal therein” and/or to perform “data interpolation in a vertical direction using a plurality of pieces of pixel data, among pieces of data output from the line memory section” as required by amended claim 1. Accordingly, the line memory in claim 1 thins out and stores data in a manner corresponding to the operations of the horizontal direction interpolation section and the vertical direction interpolation section as required by claim 1. Therefore, it is not well known in the art to thin out and store a first color signal from a horizontal direction interpolation section in the horizontal direction using a line memory, and to perform data interpolation in a vertical direction using a plurality of pieces of pixel data, among pieces of data output from the line memory section.

Accordingly, Applicant respectfully submits that amended claim 1 is patentable for at least the above reasons. Further, Applicant submits that claims 9 and 10 are amended in a somewhat similar manner as amended claim 1, and, therefore, amended claims 9 and 10 are patentable for at

least somewhat similar reasons as those discussed above in regards to amended claim 1. Applicant also submits that claims 2-3, 5-8, and 11, which depend from one of amended claims 1, 9, and 10, are patentable for at least the same reasons discussed above in regards to amended claims 1, 9, and 10 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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